IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2817 OF 2007

Shivaji Ganpati Kole. ... Applicant.

V/s.

The State of Maharashtra
and another. ... Respondents.

Ganesh Gole for the applicant.

K.V.Saste, A.P.P. for respondent No.1- State.

Vinod Wagh i/b. H.S.Venegavkar for respondent No.2.

CORAM: V.C.DAGA, J.

DATED: 17th October 2007.

P.C.:

. Heard learned counsel for the applicant, learned counel for respondent No.2 and learned A.P.P. for respondent No.1- State.

2. By this application under section 438 of Code of Criminal Procedure, 1973, the applicant is seeking anticipatory bail in the event of his arrest by Gaon Bhag Police Station in connection with R.C.C.No.165/2007 filed before the learned J.M.F.C., Ichalkaranji for the offences punishable under sections 199, 200, 407, 419, 420, 423, 467, 468 read with section 34 of Indian Penal Code.

3. A sealed register produced by the

investigating officer was accepted. The seal thereof was broken in the open Court. The register was inspected and after inspection the same has been returned to the instigating officer. It would be open for him to seal the register and deal with it in accordance with law.

4. All the original documents have been seized. The applicant undertakes to subscribe his signature and thumb impression as may be required for investigation. He further undertakes to co-operate with the investigating agency.

5. In the above view of the matter, I am inclined to grant pre-arrest bail to the applicant on the same terms and conditions on which interim bail was granted and subject to following further conditions:

(a) In the event of arrest of the applicant in connection with R.C.C.No.165/2007 filed in the Court of learned J.M.F.C., Ichalkaranji, he shall be released on bail on his executing P.R. Bon of Rs.50,000/- with one surety to make up the said amount.

(b) The applicant shall report to the concerned police station, viz. Gaon Bhag Police Station once in a week, i.e. on every

Saturday between 3.00 p.m. to 5.00 p.m. and shall co-operate with the investigating agency.

(c) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(d) This order of anticipatory bail shall operate till the filing of the chargesheet. After filing of chargesheet, it would be open for the applicant to apply for regular bail before regular court.

(e) It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

6. Application stands disposed of accordingly.

JUDGE